

REMARKS

Applicant requests reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-26 are pending in the present application. Claims 1 and 26 are the independent claims.

Claims 1, 4, 13, 16, and 26 have been amended. No new matter is believed to have been added.

Initially, Applicant acknowledges with appreciation the indication that claims 10-13 and 21-24 recite patentable subject matter and would be allowable if rewritten in independent form to include all of the features of their respective base claims and any intervening claims. By the present Amendment, Applicant has respectfully maintained these claims in dependent form because it is believed, that for at least the reasons set forth below, the base claims as amended patentably define the present invention over the citations of record.

The Office Action objected to the drawings for using two different reference numerals to identify a pick up roller shaft. By the present Amendment, Applicant has amended the Specification to use a single reference numeral to identify the pink up roller shaft.

Favorable consideration is respectfully requested.

The Office Action objected to claim 13 as being of improper dependent form. By the present Amendment, Applicant has amended claim 13 to change its dependency to claim 3. Favorable consideration is respectfully requested.

Claim 4 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite. By the present Amendment, Applicant has amended claim 4 in a manner such that this claim is believed to now fully satisfy the requirements of the second paragraph of 35 U.S.C. § 112.

Accordingly, favorable reconsideration and withdrawal of the rejection of claim 4 under the second paragraph of 35 U.S.C. § 112 are respectfully requested.

Claims 1-3, 5-9, 13-18, 25 and 26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,927,706 (Hiroi et al.). All rejections are respectfully traversed.

Hiroi et al. relates to an automatic original supplying apparatus and discusses an arrangement including a separation belt 21. (Hiroi et al., FIG. 6B). The Office Action contends that this separation belt is an active paper separator. (Office Action, page 3). This contention is

respectively traversed.

The separation belt 21 of Hiroi et al. contacts the surfaces of the paper sheets. In contrast, independent claims 1 and 26 recite an active paper separator that contacts leading ends of sheets disposed in a frame, at a certain angle. Thus, Hiroi et al. does not teach the aforementioned features of independent claims 1 and 26.

Accordingly, favorable reconsideration and withdrawal of the rejection of the claims under 35 U.S.C. § 102 are respectfully requested.

In view of the foregoing, Applicant respectfully submits that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicant believes that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, The Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: December 28, 2005

By: 
Michael E. Kondoudis
Registration No. 42,758

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501